

Subsidiary Legislation made under s.10.

## Medical (Group Practice Scheme) Regulations

### LN.1973/052

*Commencement* **2.7.1973**

Amending enactment	Relevant current provisions	Commencement date
LN. 1974/132	rr. 4(2), 5, 8(3), Sch. 1	6.1.1975
1976/068	r. 10(2)	3.1.1977
1976/085	r. 11(2)	2.8.1976
1977/063	Sch. 3	27.4.1977
1977/100	–	2.1.1978
1978/019	r. 6A	1.3.1978
1978/083	Sch. 3	5.7.1978
1978/092	r. 6A	6.9.1978
1979/001	–	1.1.1979
1980/117	–	1.1.1981
1981/041	r. 11(2)	1.8.1981
1982/106	r. 6	3.1.1983
1984/019	Sch. 1	15.3.1984
1984/036	r. 11(2)	7.5.1984
1986/047	r. 11(2)	1.7.1986
1987/062	rr. 8(3), 11(2)	19.3.1987
1988/085	r. 2, Sch. 2	1.2.1988
1988/003	rr. 2, 5(2), 6(3), 6A, Sch. 4	31.3.1988
1989/025	rr. 8A, 11, Sch.	6.4.1989
1990/131	rr. 4(2), 6(4), 6A(3)	11.10.1990
1991/216	r. 2, Sch. 2	21.11.1991
1998/062	r. 11 (1)(i)(ii)	30.7.1998
1998/082	Sch. 3	1.10.1998
1999/107	r. 11(2)	23.8.1999
1999/169	r. 11(1)(iii)	16.12.1999
2001/054	r. 9	24.5.2001
2005/134	r. 3A	1.7.2005
Act. 2007-17	r. 6A	14.6.2007
LN. 2011/198	r. 11(1), (iia)	1.7.2011
2018/028	Sch. 3	1.2.2018
2019/018	rr. 2, 4(1), Sch. 1	31.1.2019

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2022/152	rr. 11(1), (iii), 11A	21.6.2022
2022/345	rr. 4(3), 5(2)-(3), 6ZA, Sch. 1	16.2.2023
2023/171	r. 11(1), (1A)	29.6.2023

**ARRANGEMENT OF REGULATIONS**

Regulation

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- 3A. Free driving licence health examination for persons who have attained 70 years or over.
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5. Registration.
6. Payment on registration.
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8. Medical treatment.
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**Title.**

1. These regulations may be cited as the Medical (Group Practice Scheme) Regulations.

**Interpretation.**

2. In these regulations, unless the context otherwise requires, –

“Authority” means the Gibraltar Health Authority;

“entitled person” means a person entitled to benefits under the Scheme by virtue of the provisions of section 4 of the Act or by virtue of paragraphs (b) and (c) of Rule 2 of the Hospital Rules;

“General Manager” means the General Manager of the Gibraltar Health Authority.

“normal hours” means –

- (i) in Government Surgeries 9 a.m.–1 p.m. and 2.30 p.m. to 5.30 p. m, on Mondays to Fridays; 9 a.m. to 1 p.m. on Saturdays;
- (ii) for house visits 8 a. m.–7 p.m. on Mondays to Fridays; 8 a.m.– 1 p.m., on Saturdays.

**Free treatment under Social Security (Employment injuries Insurance) Act.**

3. Notwithstanding anything contained in these regulations an entitled person shall not be liable to pay the fees prescribed by these regulations in respect of treatment to which he is entitled free of charge under the provisions of section 30 of the Social Security (Employment Injuries Insurance) Act.

**Free driving licence health examination for persons who have attained 70 years or over.**

- 3A. A person who has attained the age of 70 years shall be entitled to receive an examination referred to in regulation 73(1) of the Traffic (Licensing and Registration) Regulations free of any charge.

**Entitlement to registration.**

- 4.(1) The classes of persons prescribed in Schedule I may be entitled to be registered as members of the Scheme

(2) Persons registered under this regulation by virtue of coming within Part I of Schedule 1 may not be required to pay the annual fee prescribed by section 5 of the Act.

(3) Persons entitled to be registered under this regulation by virtue of coming within Part IV of Schedule 1, may only be put forward for registration as members of the Scheme by the University of Gibraltar.

**Registration.**

5.(1) Every person who is insured under the Social Security (Employment Injuries Insurance) Act or the Social Security (Insurance) Act shall apply for registration by completing and returning the form set out in Schedule 2.

(2) Every person who is entitled to be registered under the provisions of regulation 4(1) by reason of being included in Parts I, II or III of Schedule 1 shall, if he wishes to be so registered, complete and return to the Authority the form set out in Schedule 2:

Provided that in the case of persons entitled to be registered by reason of being entitled to treatment under the District Medical Scheme the Authority may register and issue medical cards to such persons without the form being completed.

(3) The University of Gibraltar shall return to the Authority the form set out in Schedule 2 on behalf of a person who is entitled to be registered under the provisions of regulation 4(1), by reason of being included in Part IV of Schedule 1.

**Payment on registration.**

6.(1) Every person who is registered under the provisions of regulation 4, by reason of being included in Part II of Schedule 1, shall within 14 days after being notified of such registration pay the appropriate sum.

(2) The appropriate sum shall be reduced by one twelfth for each completed month that has expired, since the 1st day of January in each year, before the person is notified that his application for registration has been accepted.

(3) The Authority may, where he is satisfied that payment of the appropriate sum in one amount would cause hardship, allow its payment by quarterly instalments.

(4) For the purposes of this regulation, the appropriate sum means the annual fee for the time being specified in section 5 of the Act that is payable by the person registered.

**Payment on registration for persons enrolled at the University of Gibraltar.**

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6ZA.(1) The University of Gibraltar shall pay the appropriate sum for every person who is registered under the provisions of regulation 4, by reason of being included in Part IV of Schedule 1 and in accordance with regulation 5(3), within 14 days after being notified of such registration.

(2) For the purposes of this regulation, the appropriate sum means the annual fee for the time being specified in section 5 of the act that is payable by the University of Gibraltar on behalf of the person registered.

#### **Exemption.**

6A. There shall be exempted from the payment of the annual fee prescribed under section 5 of the Act and from the payment of the registration fee prescribed under regulation 6, any person registered under the provisions of regulation 4 by reason of being included in Part II of Schedule 1 who satisfies the General Manager, that his annual income is less than such amount as the Government may from time to time determine:

Provided that the Government may in his discretion in special and deserving cases remit or waive any fees payable under this regulation.

#### **Medical Cards.**

7. Every registered person shall be issued with a medical card in the appropriate form set out in Schedule 4.

#### **Medical treatment.**

8.(1) An entitled person shall receive out-patients treatment in a Government surgery during normal hours and may be visited in his home as often as is, in the opinion of a doctor rendering services under the Scheme, required.

(2) Subject to the provisions of sub-regulation (3) there shall be paid to the doctor in respect of each visit to a Government surgery for treatment and in respect of each visit to an entitled person's home by a doctor, the fees specified in Schedule 3.

(3) No fees shall be payable under this regulation by persons specified in Part I of Schedule 1 or by any person to whom the exemption provided for in regulation 6A applies.

(4) Fees payable under this regulation shall be paid at the time of the visit.

(5) A person seeking treatment whether at home or in a Government surgery shall at the time of the visit to or by a doctor produce a medical card showing him to be entitled to benefit under the Scheme.

**Dental treatment.**

8A. (1) Full dental treatment shall be provided free of charge to—

- (a) persons entitled to medical attention and treatment under the District Medical Scheme,
- (b) persons exempt from the payment of the annual and registration fees under regulation 6A,
- (c) persons confined in a prison,

(2) Emergency dental treatment and oral surgery shall be provided free of charge to any person on whose behalf payments are made for the time being from the Social Assistance Fund as provided in regulation 4(2)(a) of the Social Assistance Fund (Establishment) Notice, 1988.

(3) Emergency dental treatment and oral surgery shall be provided free of charge to persons registered as members (other than persons referred to in subregulation (1) or (2)) on payment of a fee of £4 for each visit.

**Payment of contributions.**

9.(1) A contribution payable under the Act by and in respect of an employed person shall be made by the employer by such means as the Director may require.

(2) A contribution payable under the Act by a self-employed person or a voluntary contributor under the Social Security (Insurance) Act or the Social Security (Open Long-Term Benefits Scheme) Act 1997 shall be made by such means as the Director may require.

(3) References in this regulation to the “Director” shall be construed as references to the Director appointed under section 2 of the Social Security (Insurance) Act<sup>1</sup>.

**Reference for consultation, etc.**

10. (1) Entitled persons who are referred by a doctor under the Scheme for consultation, pathological or radiological investigation shall not be required to pay the fees prescribed under the Hospitals Rules.

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<sup>1</sup> 1955-14

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(2) Entitled persons who are referred by a doctor under the Scheme for admission to hospital for general in-patient treatment shall not be required to pay the fees prescribed under the provisions of the Hospitals Rules.

#### **Supply of medicines.**

11. (1) Medicines shall be supplied by the Scheme pharmacists to any entitled person on any prescriptions issued to him by a doctor, nurse practitioner or nurse prescriber under the Scheme on payment of £5.00 for each item on such prescription;

Provided that—

- (i) Medicines shall be supplied free of charge to any person entitled to medical attention and treatment under the District Medical Scheme and to any person exempt from the payment of the annual and registration fees under regulation 6A,
- (ii) in the case of a person on whose behalf payments are made for the time being from the Social Assistance Fund as provided in regulation 4(2)(a) of the Social Assistance Fund (Establishment) Notice, 1988, such medicines shall be supplied free of charge,
- (iia) medicines shall be supplied free of charge to any entitled person aged 60 or over, and
- (iii) no entitled person shall pay more than £15.00 in respect of any number of items in a prescription to which this regulation refers.

(1A) In this regulation, “nurse practitioner” and “nurse prescriber” have the meaning given in regulation 2 of the Medicines (Prescription Only) Regulations, 1987.

(2) *Revoked*

#### **Annual indexation of fees.**

11A.(1) Subject to the provisions of this regulation, the fees set out in regulation 11(1) must be revised annually in accordance with the Index of Retail Prices published by the Government Statistician.

(2) The first revision under this regulation shall apply as from 1st April 2023 and shall apply the Index of Retail Prices as at 1st January 2023, and subsequent revisions shall apply on each subsequent 1st April and apply the Index of Retail Prices prevailing on the preceding 1st January of that year.



(3) Any figure revised pursuant to subregulation (1) shall be rounded up to the next whole penny.

**Hospital treatment.**

12. Entitled persons shall receive hospital treatment at the rates prescribed in the Hospitals Rules.

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Regulation 4.

**SCHEDULE 1.**

**CLASSES OF PERSONS ENTITLED TO BE REGISTERED.**

**PART I.**

1. Persons entitled to medical attention and treatment under the District Medical Scheme.

**PART II.**

1. All persons, ordinarily resident in Gibraltar, other than members of the permanent cadre of the Gibraltar Regiment who are neither required to be registered under the provisions of section 4(1) of the Act or specified in Part I of this Schedule.

**PART III.**

1. Dependants of registered persons ordinarily resident in Gibraltar or such other dependants as the Minister for Health may, in his discretion, accept.

**PART IV.**

1. Persons enrolled at the University of Gibraltar on a full-time academic course who have been charged and paid the student health surcharge to the University of Gibraltar.

SCHEDULE 2.

Regulation 5.

FORM OF APPLICATION.

GIBRALTAR HEALTH AUTHORITY

MEDICAL (GROUP PRACTICE) SCHEME

Application for Registration.

Please fill in the following details:

Surname		
First Name	Initial(s)	
Address		
Nationality		
Tel No.	Date of Birth	Sex
No of dependants	I.D. No.	
Doctor	Blood Group	
Are you diabetic? Yes/No	Are you a Blood donor? Yes/No	

I \_\_\_\_\_ of \_\_\_\_\_ hereby declare that the above particulars are true to the best of my knowledge and belief. I acknowledge that it is an offence wilfully to make any false statement or any material misrepresentation in this application, with the intention of obtaining or attempting to obtain any benefit to which I or any of my dependants are not entitled.

being a person who is \* insured/not insured under the Social Security (Employment Injuries Insurance) Act and or the Social Security (Insurance) Act apply for registration as a member of the Medical Group Practice Scheme.

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_

Please complete a form in respect of each of the dependants for whom an application for registration is being made.

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For office use only:

Health Centre No.	Registration No.	Zone
Category	Renewal	

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**SCHEDULE 3.**

Regulation 8(2).

**FEES.**

The following fees shall be paid by entitled persons other than persons exempted from the payment of fees under the provisions of regulation 8(3).

For each house visit by a doctor –

1. in respect of a person in receipt of a retirement pension under the Social Security (None-Contributory Benefits) Act, the Social Security (Open Long Term Benefits Scheme) Act 1996, or the Social Security (Closed Long Term Benefits and Scheme) Act 1997. £5.
2. in respect of any person to which paragraph 1 above does not apply £15

SCHEDULE 4.

FORM OF MEDICAL CARD.

Regulation 7.

GIBRALTAR HEALTH AUTHORITY MEDICAL GROUP PRACTICE SCHEME.		
Surname		
Name		
InsuranceNo.		
Address		
Date of Birth		
Particulars of children and dependants of insured person within the same household.		
Name	Surname	Age
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
Note : Please notify any change of address or family composition.		

DISTRICT MEDICAL SERVICE.	
Surname	I/C No.
Other names	
Address	
It is certified that the above-mentioned patient and his/her family mentioned overleaf is/are eligible for free medical attention under the District Medical Service.	
Date.....	.....
for Director of Labour and Social Security.	

Determination made under reg. 6A.

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DETERMINATION.

*1 January 1980*

Pursuant to regulation 6A of the Medical (Group Practice Scheme) Regulations, the Government has determined that with effect from the 1st day of January, 1980, the amount of a person's annual income for the purposes of exemption under that regulation shall be—

- (a) in the case of a married person, the aggregate of the annual amount payable by way of old age pension under the Social Security (Insurance) Act at the full rate for a married couple; and
- (b) in the case of a single person, the annual amount payable by way of old age pension under that Act at the full rate for a single person.

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**\* REFERENCE TABLE**

<b>Legal Notice No.</b>	<b>Revoking Legal Notice</b>	<b>Date of revocation</b>
1988/127	1988/155	2.1.1989
1988/155	1989/112	1.1.1990
1990/112	1993/187	4.1.1993
1993/187	1994/135	2.1.1995
1994/135	1997/168	5.1.1998

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*\* Table listing all repealed or revoked provisions has not been published as a Supplement, or part of a Supplement, to the Gibraltar Gazette and is inserted by way of Consolidation for reference purposes only.*